UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,796	10/26/2001	Harald Krodel	10537/172	6056

26646	7590	11/16/2006

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EXAMINER
BADII, BEHRANG

ART UNIT	PAPER NUMBER
3694	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
	10/016,796	KRODEL, HARALD
Office Action Summary	Examiner	Art Unit	
	Behrang Badii	3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*23 August 2006*</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed on 8/23/06 have been fully considered but they are not persuasive. Applicant's background of the invention discloses sending a document (e.g. shipping voucher) with the merchandise. Further the applicant's background discloses if the shipping voucher or shipping data is incorrect then they are corrected. Hence it is discloses by the applicant's background the data is checked for conformity. It is obvious to one of ordinary skill in the art that a manufacturer which sends merchandize to receiving parties has a standard requirement for shipping data such as name and address and contact number against which the shipping data is checked. Mahar discloses error handling and error discernment as described below.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Ludwig describes sending electronic document via shipped material and Mahar discloses handling errors in data. Therefore, it would be obvious to have the error handling of Mahar handle errors in shipping documents of Ludwig.

2112 [R-3]   Requirements of Rejection Based on Inherency; Burden of

Proof

The express, implicit, and inherent disclosures of a prior art reference may

be relied upon in the rejection of claims under 35 U.S.C. 102 or 103. "The

inherent teaching of a prior art reference, a question of fact, arises both in the

context of anticipation and obviousness." In re Napier, 55 F.3d 610, 613, 34

USPQ2d 1782, 1784 (Fed. Cir. 1995) (affirmed a 35 U.S.C. 103 rejection based

in part on inherent disclosure in one of the references). See also In re Grasselli,

713 F.2d 731, 739, 218 USPQ 769, 775 (Fed. Cir. 1983).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

Claims 1-13 rejected under 35 U.S.C. 103(a) as being unpatentable over

Mahar, USP 5,418,965, and further in view of Morris, USP 5,386,533 and

Ludwig, USPAP 2002/0046352.

As per claims 1, 5, 14 and 15, Mahar discloses a method/information

system for verifying electronic data records including at least one of electronic

shipping-voucher data and shipping data sent by a sender to an information

system, comprising the steps of:

receiving the electronic data record by the information system (The

system receives data) (col.5, 50-62), checking the data record by the information

system for a presence of errors (background of invention) (The system checks

for errors. col.13, 43-68; col.14, 1-36) and routing the data record to a receiver if

the data record is error-free (The system routes and stores data from one

database onto another. col. 15. 54-65; fig's. 4 & 5). Mahar does not disclose

checking for conformity with a purchase order or the at least one of the electronic

shipping-voucher data and the shipping data accompanying goods to be shipped

or verifying the sender is authorized to send or storing the data record in a

defined access area of the information system if the data record is faulty, the

data record stored in the defined access area being inspectable and correctable

by the sender or determining whether a syntax of the data record conforms with a

specified standard. Morris discloses determining whether a syntax of the data

record conforms with a specified standard (background of invention) (checking

for mistakes) (claims 15, 27, 40, 51 and 67) and storing the data record in a

defined access area of the information system if the data record is faulty, the

data record stored in the defined access area being inspectable and correctable

by the sender (background) (storing faulty data and then correcting them) (claims

15, 27, 40, 51 and 67). Ludwig discloses checking for conformity with a

purchase order (background) (changing shipping documents) (p4) and the at

least one of the electronic shipping-voucher data and the shipping data

accompanying goods to be shipped (p4) and verifying the sender is authorized to

send (p14, 17 and 20). It would have been obvious to modify Mahar to include

checking for conformity with a purchase order and the at least one of the

electronic shipping-voucher data and the shipping data accompanying goods to

be shipped and verifying the sender is authorized to send and storing the data

record in a defined access area of the information system if the data record is

faulty, the data record stored in the defined access area being inspectable and

correctable by the sender and determining whether a syntax of the data record

conforms with a specified standard such as that taught by Morris and Ludwig in

order to correct the data before it is passed on to other sections of the network

thereby reducing the time and effort needed for data correction.

As per claims 2, Mahar further discloses adjusting information of the data

record in accordance with ordering information stored in a database (col.15, 44-

53).

As per claims 3, Mahar discloses wherein the checking step is performed

for a plurality of at least one of plants and areas of plant operations of a system

provider jointly at a single central location (There is a central processing CPU

that undertakes various activities, including storing data on various databases.

col.1, 38-65).

As per claims 4, Mahar discloses a method/information system for

verifying electronic data records as discussed above. Mahar further discloses

displaying information in the defined access area in accordance with the

analyzing step (col.13, 43-68; col.14, 1-36). Mahar does not disclose analyzing a

number and a type of errors of faulty data records contained in the defined

access area with respect to development over time. Morris discloses analyzing a

number and a type of errors of faulty data records contained in the defined

access area with respect to development over time (claims 15, 27, 40, 51 and

67). It would have been obvious to modify Mahar to include analyzing a number

and a type of errors of faulty data records contained in the defined access area

such as that taught by Morris in order to correct the data before it is passed on to

other sections of the network thereby reducing the time and effort needed for

data correction.

As per claims 6, Mahar discloses an interface to a database containing

order information (col.2, 42-61).

As per claims 7, Mahar discloses wherein the data records contained in

the defined access area are inspectable and revisable (col.2, 1-25; fig.6) by the

sender (user) via the Internet (network) (col.7, 1-52).

As per claims 8, Mahar discloses wherein the faulty data records stored in

the defined access area are inspectable by the receiver (user) (col.2, 1-25; fig.6).

As per claims 9, Mahar discloses wherein the data records contained in

the defined access area are inspectable and revisable (col.2, 1-25; fig.6) by the

sender (user) via a data network (col.7, 1-52).

As per claim 10, Mahar discloses a method/information system for

verifying electronic data records as discussed above. Mahar does not disclose

comprising the step of correcting the faulty data record stored in the defined

access area of the information system. Morris discloses comprising the step of

correcting the faulty data record stored in the defined access area of the

information system (claims 15, 27, 40, 51 and 67). It would have been obvious to

modify Mahar to include comprising the step of correcting the faulty data record stored in the defined access area of the information system such as that taught by Morris in order to correct the data before it is passed on to other sections of the network thereby reducing the time and effort needed for data correction.

As per claims 11 and 13, Mahar discloses wherein error codes are associated with errors (col. 13, 33-68; col.14, 1-36). Mahar does not disclose the storage of faulty records. Morris discloses the storage of faulty records (claims 15, 27, 40, 51 and 67). It would have been obvious to modify Mahar to include the storage of faulty records such as that taught by Morris in order to correct the data before it is passed on to other sections of the network thereby reducing the time and effort needed for data correction.

As per claim 12, Mahar discloses further comprising a fourth interface to correct the faulty data record (correcting/changing data) (col. 13, 33-68; col.14, 1-36) (col.2, 26-61).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrang Badii whose telephone number is 571-272-6879. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to (571)273-8300

Hand delivered responses should be brought to

> United States Patent and Trademark Office
> Customer Service Window
> Randolph Building
> 401 Dulany Street
> Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this

application or proceeding should be directed to the Technology Center 3600

Customer Service Office whose telephone number is **(571) 272-3600**.

Behrang Badii
Patent Examiner
Art Unit 3694

BB

ELLA COLBERT
PRIMARY EXAMINER